

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

YAITZA R., )  
                )  
Plaintiff     )  
                )  
v.              )     **No. 1:24-cv-00181-KFW**  
                )  
MARTIN O'MALLEY     )  
Commissioner of     )  
Social Security     )  
                )  
Defendant     )

**ORDER ON THE PLAINTIFF'S CONSENTED TO  
MOTION FOR ATTORNEY'S FEES**

I previously granted the Commissioner's unopposed motion to reverse and remand this matter for further administrative proceedings. *See Order* (ECF No. 12).<sup>1</sup> The Plaintiff now seeks \$4,061.40 in attorney's fees pursuant to 28 U.S.C. § 2412(d), the Equal Access to Justice Act (EAJA). *See Motion for Attorney's Fees* (ECF No. 14); Settlement Agreement (ECF No. 14-1). The Commissioner stipulates to the requested fees. *See Settlement Agreement*. Because I conclude, after reviewing the Plaintiff's record filings in this matter, that the requested fees are reasonable in light of the work her attorney completed to achieve a successful result, the motion is **GRANTED**. *See 28 U.S.C. § 2412(b)* (stating that the court may only "award reasonable fees and expenses of attorneys" to the prevailing party).

I hereby **ORDER** that the Commissioner pay EAJA fees in the amount of

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<sup>1</sup> The parties have consented to me presiding over all proceedings in this action. *See Declaration of Consent* (ECF No. 9).

\$4,061.40 in full satisfaction of any and all attorney's fees and expense claims that the Plaintiff may have in this case under the EAJA. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), these attorney fees and expenses are payable to the Plaintiff as the prevailing party and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt the Plaintiff may owe to the government. If, after the entry of this order, the Commissioner determines that the Plaintiff owes no debt to the government that would subject this award to offset, the Commissioner may honor the Plaintiff's signed assignment of EAJA fees providing for payment of the subject fees to the Plaintiff's counsel, rather than to the Plaintiff. If, however, the Plaintiff is discovered to owe the government any debt subject to offset, the Commissioner shall pay any attorney's fees and expenses remaining after such offset to the Plaintiff rather than to the Plaintiff's counsel.

Dated: October 2, 2024

/s/ Karen Frink Wolf  
United States Magistrate Judge